

65-19-722  
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IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

STEPHEN HAMILTON,

Plaintiff,

vs.

SWIFT TRANSPORTATION CO.  
OF ARIZONA, LLC and  
ALAN RAY PARKER,

Defendants.

FILED IN DISTRICT COURT  
OKLAHOMA COUNTY

Case 19-722

FEB - 8 2019

RICK WARREN  
COURT CLERK

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**PETITION**

Plaintiff states:

1. Plaintiff, Stephen Hamilton ("Plaintiff"), is a resident of the State of Oklahoma.
2. Upon information and belief, Defendant, Swift Transportation Co. of Arizona, LLC ("Defendant Swift"), is a limited liability company organized under the laws of the State of Delaware.
3. Upon information and belief, Defendant, Alan Ray Parker ("Defendant Parker"), is resident of the State of Georgia.
4. On March 24, 2017, at about 7:23 a.m., Plaintiff operated a semi-tractor trailer and was stopped due to traffic congestion in the middle eastbound middle lane on I-40 near Portland Avenue, in Oklahoma City, Oklahoma, Oklahoma County.
5. Defendant Parker was traveling directly behind Plaintiff while operating a semi-tractor trailer on I-40 when he collided with Plaintiff's semi-tractor trailer.
6. At the time of the collision, Defendant Parker was the agent, servant and/or employee of Defendant Swift, in the course of his employment and/or agency and driving a semi-tractor trailer furnished to him by Defendant Swift.

7. The collision resulted from Defendants' negligence as follows:

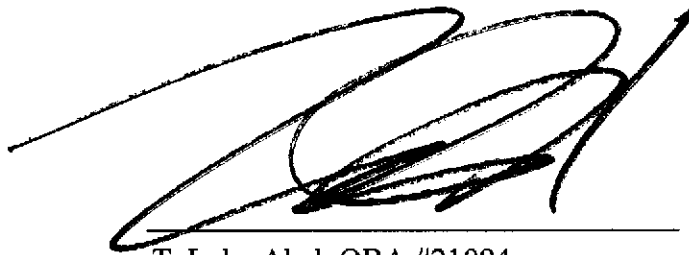
- a. Defendant Parker was traveling at a speed in excess of the posted speed limit and/or at a speed wherein he could not stop within the assured clear distance ahead and violated 47 O.S. §11-801(A).
- b. Defendant Parker failed to keep a proper lookout.
- c. Defendant Parker was following Plaintiff's semi-tractor trailer at a distance that was closer than reasonable and violated 47 O.S. §11-310.
- d. Defendant Parker failed to use his brakes, horn or steering mechanism to avoid the collision.
- e. Defendant Parker failed to yield to the right of way and violated 47 O.S. §11-403.
- f. Defendant Parker failed to devote his full time and attention to his driving and violated 47 O.S. §11-901b.
- g. Defendant Parker failed to maintain proper control over his semi-tractor trailer at a time when Defendant Parker knew or should have known that without such control persons, including Plaintiff, were likely to be injured.
- h. Defendant Swift negligently hired, screened, retained, trained, and/or instructed Defendant Parker with regard to the operation of its semi-tractor trailer.

- i. Defendant Swift furnished a semi-tractor trailer to Defendant Parker at a time when Defendant Swift knew, or should have known, Defendant Parker was not a safe, careful or competent driver and that as a result thereof, persons, including Plaintiff, were likely to be injured.

8. As a result of Defendants' negligence, Plaintiff suffered personal injuries, said injuries are permanent, painful, and progressive. At the time of the injuries, Plaintiff was 41 years of age with a life expectancy of 37.63 years. As a further result of Defendants' negligence, Plaintiff has and will incur medical expense, has and will lose earnings, has and will suffer pain of mind and body, is permanently injured, has a reduced earning capacity and has been damaged in an amount in excess of \$75,000.00.

WHEREFORE, Plaintiff prays for judgment against Defendants, in an amount in excess of \$75,000.00, interest, costs of this action, and further relief as this court deems proper.

Respectfully submitted,

A large, stylized handwritten signature in black ink, likely belonging to T. Luke Abel, is written over a horizontal line.

T. Luke Abel, OBA #21094  
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**ATTORNEY FOR PLAINTIFF**

ATTORNEYS' LIEN CLAIMED